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| APPLICATION NO.  | FILING DATE   | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|---------------|----------------------|---------------------|------------------|
| 10/633,371   | 08/01/2003    | Scott A. Webb        | 5259-14600          | 5117             |
| 35690  | 7590          | 06/30/2009           |                     |                  |
| MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.<br>P.O. BOX 398<br>AUSTIN, TX 78767-0398 |               |                      |                     |                  |
|  |               |                      | EXAMINER            |                  |
|  |               |                      | COMSTOCK, DAVID C   |                  |
|  |               |                      | ART UNIT            | PAPER NUMBER     |
|  |               |                      | 3733                |                  |
|  |               |                      |                     |                  |
| NOTIFICATION DATE  | DELIVERY MODE |                      |                     |                  |
| 06/30/2009   | ELECTRONIC    |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent\_docketing@intprop.com  
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|                          |                                      |                                    |
|--------------------------|--------------------------------------|------------------------------------|
| <b>Interview Summary</b> | <b>Application No.</b><br>10/633,371 | <b>Applicant(s)</b><br>WEBB ET AL. |
|                          | <b>Examiner</b><br>DAVID COMSTOCK    | <b>Art Unit</b><br>3733            |

All participants (applicant, applicant's representative, PTO personnel):

(1) David Comstock. (3)\_\_\_\_\_.

(2) Katharina Schuster. (4)\_\_\_\_\_.

Date of Interview: 23 June 2009.

Type: a) Telephonic b) Video Conference  
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: N/A.

Identification of prior art discussed: N/A.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant will file a formal amendment that clarifies the relationship of structural features relative to the top, bottom, anterior and posterior of the implant. It appears that additional language that positively ties the relative terms top, bottom, anterior and posterior to the structural features will remove ambiguity and alternate claim constructions. Further consideration of the formally amended claims and corresponding arguments will be necessary.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/David Comstock/  
Examiner, Art Unit 3733